

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
CLERKS OFFICE

CIVIL ACTION NO. 104-CV-10856-MEL

JAN 26 P 12:43

HOWARD KAPLAN,

Plaintiff,

v.

WEND MANAGEMENT, INC.,  
WENDY'S INTERNATIONAL, INC,

Defendants.

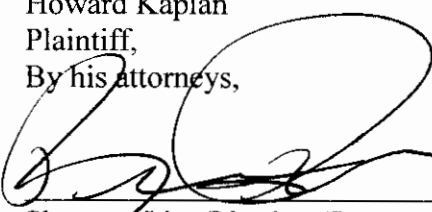
U.S. DISTRICT COURT  
DISTRICT OF MASS.

BBO#435620

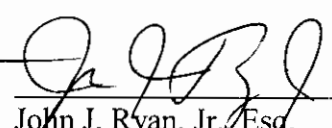
**STIPULATION OF DISMISSAL WITH PREJUDICE**

Now come all parties to the above-captioned matter and hereby stipulate, pursuant to the provisions of Fed.R.Civ.P. 41(a)(1)(ii), to the dismissal of all claims as to all parties in the above-captioned matter with prejudice, without interest, without costs and with all rights of appeal therefrom waived.

Howard Kaplan  
Plaintiff,  
By his attorneys,

  
Shannon Liss-Riordan, Esq.  
Rebecca G. Pontikes, Esq.  
Pyle, Rome, Lichten & Ehrenberg, P.C.  
Suite 500  
18 Tremont Street  
Boston, MA 02108  
617-367-7200

Wend Management, Inc.  
Defendant  
By its attorney,

  
John J. Ryan, Jr., Esq.  
Ryan, Coughlin & Betke, LLP  
175 Federal Street  
Boston, MA 02110  
617-988-8050

*Dated: January 12, 2007*

Wendy's International, Inc.

Defendant

By its attorney,

A handwritten signature in black ink, appearing to read "Gary Feldman", is written over a horizontal line.

Gary Feldman, Esq.

Davis, Malm & D'Agostine, P.C.

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